

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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IOAN CUNTAN,

Plaintiff,

- against -

ORDER  
06-CV-3898 (RRM) (CLP)

HITACHI KOKI USA, LTD. and  
HITACHI KOKI USA LTD d/b/a  
HITACHI POWER TOOLS,  
Defendants.

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**MAUSKOPF, United States District Judge.**

By motion filed November 17, 2008, Defendants Hitachi Koki USA, Ltd. and Hitachi Koki USA Ltd. d/b/a Hitachi Power Tools (collectively, "Hitachi") moved for summary judgment dismissing Plaintiff Ioan Cuntan's Complaint. By Order entered March 24, 2009, this Court referred Hitachi's motion to the assigned Magistrate Judge, the Honorable Cheryl L. Pollak, for a Report and Recommendation. On September 15, 2009, Judge Pollak issued a Report and Recommendation (the "R&R") that Hitachi's motion be granted in its entirety. Judge Pollak reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due by October 2, 2009. Neither party has filed any objection.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, it is hereby ORDERED that Hitachi's motion for summary judgment is GRANTED.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: Brooklyn, New York  
October 14, 2009

s/RRM

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ROSLYNN R. MAUSKOPF  
United States District Judge